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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,945	02/21/2006	Atsuki Ishida	27691.11 / Y03S017PCT-US	8307
27683 7590 06/15/2011 HAYNES AND BOONE, LLP IP Section 2323 Victory Avenue Suite 700 Dallas, TX 75219			EXAMINER JAROENCHONWANIT, BUNJOB	
			ART UNIT 2466	PAPER NUMBER
			MAIL DATE 06/15/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/536,945	Applicant(s) ISHIDA ET AL.	
	Examiner BUNJOB JAROENCHONWANIT	Art Unit 2466	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/23/10.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8, 11-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-8 and 11-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/25/11</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/09/10 has been entered.

Information Disclosure Statement

2. The information disclosure statement filed 5/25/11 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the NPL cite No. A5 has not been considered because, there is no translation. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Response to Arguments

3. In view of claims rejection under 35 U.S.C. §112 ¶2, dated 3/29/2010, the rejection was withdrawn.

4. Applicant's arguments have been fully considered but they are not persuasive. In the remark Applicant argues in substance that the prior arts does not teach establishing TCP/IP for

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various network devices such as relay devices, or network enabled devices with a server in the network.

5. As to claims 6, 13, and 15, Applicant argues that Saito IP communication is not TCP/IP tunnel as claimed. Office disagrees; Saito teaches that the system is operable in using TCP/IP suite (c.20:1-3) and communication in heterogeneous networks such as between the networks that employ different protocols, for example IEEE1394, IPv4 and IPv6. Such communication requires encapsulation data from IEEE1394 terminal into TCP/IP channel. Evidence supporting IPv4-IPv6 tunnel can be found in RFC 1631 which is part of the standard employed by Saito. Although, Saito may not clearly point out or express the term tunnel, it would have been obvious to an ordinary skill in the art that Saito does employ IP tunnels, regardless of the transport protocol at the time. Thus using IP tunnels to communicate with a PC that functions equivalent to a relay device, a network enabled appliance, and a server as claimed would have been obviously a matter of implementation's choice that can be accomplished without requiring any structural or functional steps that departs from Saito's teaching.

Response to Amendment

6. Claims 6, 8, and 12 were amended for formal matter does not change scope of the claims.

Claim Rejections

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6523696, hereinafter Saito.

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9. Claims 6, 8 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of US 2004/0054789, hereinafter "Breh."
10. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito-Breh as applied to claim 6 above, and further in view of US 6118784, hereinafter "Tsuchiya."
11. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of US 6957257, hereinafter "Sekiguchi."
12. Saito, Breh, Tsuchiya, and Sekiguchi were cited as prior arts in the previous Office Actions; the rejections and citations applicable are hereby incorporated by reference.
13. Applicant is suggested to consider Chin (US 2004/0240468) that teaches TCP/IP tunnel that can be applied to any devices in IP networks.
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BUNJOB JAROENCHONWANIT whose telephone number is (571)272-3913. The examiner can normally be reached on M-Th: 8:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Ryman can be reached on 571-272 3152. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BUNJOB JAROENCHONWANIT/
Primary Examiner
Art Unit 2466

/bj/
6/8/11